IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION, CINCINNATI

EVERETT W. WHISMAN, et al.

Case No. C-1-02-406 Plaintiffs

Judge Beckwith

Magistrate Sherman ٧.

PLAINTIFF'S NOTICE OF ZF BATAVIA, LLC, et al.

> FILING DEPOSITION TRANSCRIPT OF DICK

NEWARK

Defendants.

Plaintiffs, Everett W. Whisman, et al. ("Plaintiffs"), submit this Notice that they are filing attached herein the deposition transcript of Dick Newark.

Respectfully submitted,

s/ Stephen A. Simon

David M. Cook (Ohio Bar # 0023469) Stephen A. Simon (Ohio Bar #0068268) DAVID M. COOK, LLC

22 West Ninth Street Cincinnati, Ohio 45202 Phone: (513) 721-7500 (513) 721-1178 Fax: e-mail: dcook@dmcllc.com

Trial Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of December, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Ellen J. Garling Jeffery L. VanWay Baker & Hostetler LLP 312 Walnut Street, Ste. 2650 Cincinnati, Ohio 45202 (Attorneys for Ford Motor Co.)

Douglas M. Morehart Haverkamp, Brinker, Rebold & Rhiel Co. LPA 5856 Glenway Avenue Cincinnati, Ohio 45238-2079 (Attorney for ZF Batavia)

s/ Stephen A. Simon

ATTORNEY FOR PLAINTIFFS